

URBANA UNION.

WEDNESDAY EVENING, NOV. 26, 1862.
TERMS.—One Dollar per annum, in advance.
The cheapest and best country paper in Ohio.
J. W. HOCK, URBANA, OHIO.



The Union of Hearts—the Union of Hands.
The Union of States none can sever;
The Union of Lakes—the Union of Lands,
And the Union of Ohio Union Forever!

THE URBANA UNION is a newspaper for the people of Hamilton county. It is not in the interest of any party, nor is it meant to be identified with the interest of any party, because it will not be fettered. It will not be neutral for that momentary service. It will have very distinct opinions on all public questions connected with government, whether Union, State, or County; and on the expression of opinions it will have no guide, a strict adherence to law. It will support the Constitution and the Laws, without regard to platform or to party dogmas.

NEWS OF THE WEEK ENDING NOV. 26, 1862.

It is now three weeks to-day since General McClellan was removed from command, because he had not moved his army. Three weeks have elapsed, said General Halleck. Of course he meant that the delay was willful on the part of McClellan, that everything had been furnished, and there was no excuse. The fact has now transpired since his removal that the Cabinet at Washington compelled him last spring to develop his plan, and that his disclosure was immediately betrayed to the enemy. This cabinet-meddling lost him his campaign, and their detaching McDowell, rendered failure certain. The public are now informed that Burnside is waiting for bridges, on the way to Richmond. The fact is now developed that McClellan asked for the materials necessary to make these repairs, but the Washington powers did not grant them. They "did not see it" that he needed them. If McClellan was ready, as they say he was, there is no excuse now. If Burnside is justified now, the charge against McClellan was untrue. Time will tell us.

Burnside is the apparent commander of his army, but not the real one. The same vicious control at Washington is still exercised. An able and upright General ought not to be so placed.

The most important news from General Rosecrans is that he has ordered a large number of night caps to be prepared. They are to be worn by soldiers who get captured too easily!

General Buell is to be "inquired about," as Nashville. What is a Democrat's team?

The last arrival from England brings news that France had proposed to England, that England, France and Russia should interfere in our war and bring it to a close, and that Earl Russell had explicitly declined—the time had not come. We hope that they will postpone it, until the contest is just over, and then we can answer *vis à vis* of them.

Drafted Men and Substitutes—An Important Order—Is it Right?

Under the following decision, which the War Department has undertaken to make in relation to drafted men and their substitutes, all persons liable to draft, and who expect to serve their turn if drafted, should by all means hire themselves as substitutes, for they will thus be freeing themselves from future draft, while receiving the price of substitution;

"WAR DEPARTMENT, WASHINGTON, D. C., November 1, 1862."

"Hon. Silas Liversidge, Greenville, Penn."

"Sir: In reply to yours of the 27th ult., desiring to be informed of certain questions pertaining to the draft, the Secretary of War directs me to say that, when a drafted man furnishes a substitute that is accepted, the two change places. The principal is liable to another draft, if made, just as he would be if he had not been drafted at first, and the substitute is bound by the first draft of the principal, just as if he had been drafted himself."

Very respectfully,

"C. P. BUCKINGHAM, Brig-Gen. and A. A. G."

The decision is clearly erroneous. Every person enrolled in the militia is liable to be drafted, and if drafted is bound to serve his turn. Having been drafted, his name is off the list at the succeeding drafts, and he is not liable again until all the remaining names have been drawn, when the process may be repeated with a new enrollment. But he must serve, and thus he may do by substitute; and in case he furnishes the substitute he has discharged his own liability. If the substitute was on the enrollment, and he is not drafted at first, he is still liable to be drafted and bound to serve in his own right; his engagement as substitute is to serve another's term in addition to his own. The French rule is, that if the substitute is drafted at the next call, he must serve in his own right, and his principal must keep the substitute good and provide another. Suppose that the drafted person employs a substitute who had already served his turn and is not liable to another draft, how is there a change of places? Suppose he had employed an alien, not liable at all, what does he exchange with? If the drafting should be by a tenth or eighth draft, it would be possible under this

decision for a drafted man to be compelled to furnish a substitute at every successive draft. The decision of the Secretary is in violation of universal understanding, and it should be reversed. The drafted man who serves by substitute has met and discharged his liability.

But how does the Secretary of War acquire authority to make this decision, and under what law does he act? The militia belongs exclusively to the States until they are in actual service of the United States. Congress has power to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

—to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress; and the President is "Commander-in-Chief of the militia when called into actual service."

When the President decides to call the militia, he does it by requisition on the States for their respective quotas, and the State makes its own designation of the persons to serve, and until they are actually in service the President has no control over them. He has no power whatever over that reserved body not yet called for, except to make further requisition. The President cannot give to his Secretary any power over the subject he has now decided on, and Congress has not given him any such power. His present decision must therefore be held as *extra judicial*, and it is no less *unjust*.

"Renegades."

We see the term "Renegades" applied by Democratic papers to Governor Tod and other members of the Democratic party who were prominent in the Union party of 1861. We cannot but regard this as a great injustice. Those gentlemen who had been always distinguished and prominent as Democrats, were certainly actuated by a desire that all citizens, without regard to party, should harmonize in one united effort to promote the public welfare. However that Union party may have disappointed public expectation, and resolved itself by partisan action back into the elements of which it had been composed, no good purpose can be served by vengeful recriminations. The parties of 1861 are wholly different from the parties of 1862, and whether the conservative tendencies of this year are to be increased or diminished must depend on the justice and moderation with which men are treated who are faithfully serving the country—and it may now be distinctly stated—that the ascendancy of the present majority cannot be maintained by an injudicious clamor for the promotion of vain and frothy men who have been rejected.

Encouraging to Young Criminals.

OUR Legislature has so far changed the old law in regard to injuries done to the trees, plants and crops of another, that it is no longer a mere trespass for which only damages could be recovered; it is now a penal offense, punished by fine and imprisonment; but in order to give due encouragement to young thieves, and to teach moderation to old ones, there is no imprisonment unless the injury or theft is of the value of fifty cents! An old rogue may take a basket of corn or apples from your field every day, and you can have judgment against him for the value! A thieving boy may rob your garden every day, and the value must be fifty cents, or you cannot imprison him; you can have judgment, and collect it when he comes of age. This is a very good legislative encouragement for young thieves, and will tend to keep up a supply, and to bring them on gradually to bigger things. It would be too great a change to make it punishable to steal from common people; perhaps the General Assembly would agree to enact a provision that it shall be imprisonment provided that the person drafted may be exempt by paying a fixed sum, which constitutes an army fund to be expended in bounties in procuring persons to serve in equal numbers. These matters will be naturally and necessarily become the subject of legislation by the States.

When the Port Royal expedition landed at Beaufort, which was then deserted by the inhabitants, they found an old and valuable library which belonged to some society, and had existed for more than seventy years. One of the letter writers at the time spoke of the library as containing rare copies of Latin and Greek classics, which would bring a high price in New York, whither the books were to be sent. If the Government authorities thought this rare collection was in danger of destruction and pillage by leaving it at Port Royal, it was not only justifiable but praiseworthy to remove it to a place of safety.

But within the last few weeks, the books were actually placed in an auction house in New York and advertised to be sold. This was making the case one of pure theft, because the books were not the subject of capture. The New York Evening Post has spoken of it in such strong reprehension that the Government has revoked the order of sale, and the books will be withdrawn. We are very glad to learn that the Government is acting with proper dignity in the matter, and we hope that it will be found not to have been a government act, but the misconduct of some unauthorized person.

Will the Southern Slaves Be Free?

THE New York World of November 15th has the following, which needs to be pondered well, for to this complexion must we come at last:

"The Times thinks the freed negroes must, of necessity, remain in the South. Grant it. The war being over, a slave emancipated under the proclamation is claimed by his master under the state laws. The state magistrates recognize the claim, and enforce the servitude. The negro sues for his freedom in the state courts, which decide that the proclamation, being unconstitutional, is void. The case is carried by appeal or writ of error to the Supreme Court of the United States, which affirms the decision, as there is no doubt it would. The judgment of the court of last resort would end the foolish emancipation force, and all slaves who had not fled before the reach of legal process would be remanded to their old condition."

We beg to suggest that it is here assumed too confidently that the case will be taken to the Supreme Court of the United States, and the judgment of the State Court affirmed. If an effort should be made to appeal such a case, it would perhaps be found that the case would be dismissed for want of jurisdiction. Under the Judiciary act of 1789, the Supreme Court of the United States has jurisdiction, where, in a suit before the highest court of law or equity of a State, the validity of a statute of the United States, or an authority under the United States is drawn in question, and the decision is against their validity, or where the validity of a State law, or an authority under a State law is drawn in question on the ground of their being repugnant to the Constitution, treaties or laws of the United States, and the decision is in favor of their validity. Such judgment of the highest State Courts may be re-examined and corrected upon a writ of error. Now the court might fail to see that a Proclamation of the President could be regarded as a law of the United States, and unless the Proclamation was made under the direct authority and sanction of the law-making power they would certainly say they had no jurisdiction. Such a decision would have the effect to settle the pretended power of the President, but it would not be an affirmation of the State Court's action and judgment.

Mr. Chase's Ship Plasters.

Or all humbugs ever practiced, the act of Congress for making postage stamps a currency, is the baldest. Postage stamps had a definite legal meaning; they pertained to the Post Office Department, and by authority of law were issued from that Department in exchange for money hard. The money thus derived was the means of paying the expenses of the Department. Honesty, common sense and law, all combined to make this inevitable. But that did not help Mr. Chase's Treasury. And in this final effort at descent into the depths of circulation to "find a lower deep" still threatening to devour us, he must have the benefit of the "stamp" circulation. So without any authority of law, and accordingly in the face of law, he makes a set of tickets with the pictures of postage stamps upon them, not according to any recognized denomination of stamps, and not stamps in fact, but ship plasters, receivable in payment for stamps.

Circuit Courts of the United States.

THE Circuit Court of the United States for the District of Ohio, held its sessions at the capital of the State, from the beginning of the State Government until a few years since, when the State was divided into two districts—a northern district with a court at Cleveland, and a southern district with a court at Cincinnati. This was not done from any great increase of business in the court, or to accommodate the public, but to serve a selfish purpose of a few persons. The clerk of the court had been persuaded by a few lawyers at Cincinnati that if his court was moved to Cincinnati they would bring all their suits against steamboats in that court under the name of Admiralty proceedings, and he further flattered himself that all the collection business of the country could be brought into his court, and inducements were held out to lawyers that they could have a docket fee of twenty dollars taxed to their use in that court. Besides, the Circuit Judge, who resided there, also favored it as a personal comfort. So the State was divided, and courts have been since held in Cleveland and in Cincinnati. But instead of their growing into importance they have actually sunk into comparative insignificance, and the clerk who procured the change found it so disappointing that he resigned. The able bar gathered round that court while it met in Columbus has disappeared, and few of the Cincinnati lawyers consider it worth their attention. The court in Cleveland has little to do except from litigation growing out of the Lake navigation.

Extradition Treaties.

A FUGITIVE from justice, who had been arrested in Cincinnati on a charge of forgery committed in the Kingdom of Saxony, has been discharged by Judge Leavett, for lack of form in the mode of procuring the proof, although the Judge said he was satisfied that the copies were true. These extradition treaties ought to be abolished as a sham. They have been solemnly entered into between most of the nations within the last few years, and the tribunals of each country where a person is arrested, have seemed to strive which could outdo the other in evasions to promote escape. It is believed that in no single instance has a fugitive from this country ever been given in England. It has sometimes been done in this country, but in most cases, the reclamation is defeated. There seems to be a studious care in each country that its jurisdiction should be a secure haven for the choicest scoundrels of all other countries.

"I am not ready to quarrel with the New York Tribune."

So said Mr. Lincoln to the Congressmen from Maryland and Kentucky, on the 10th of March, 1862. He then meant to follow his own judgment, which he knew would not suit Mr. Greeley. But Greeley's letter in the name of twenty millions, demanding an Emancipation Edict, shook him. On the 23d of September he gave in and complied. Now on the 20th of November, Mr. C. A. Dana is appointed Assistant Secretary of War, in place of Mr. C. P. Walcott, resigned. Mr. Dana was formerly leading editor of the New York Tribune, and left it a few months ago because—it was so said at the time—because the other editors thought him ultra on the abolition line.

Drafting and Substitutes.

It is now manifest that any future supply of troops, either to increase our armies, or simply maintain their numbers, cannot be had by volunteering. Those who incline to enlist will probably choose the regular service, and the additional and extraordinary forces must be had by draft. Where conscription prevails, it is found necessary to make some mitigations of its force. For instance, in one of the western counties of Ohio, three brothers volunteered early in the war for three years—a forth remained at home with the widowed mother. When the draft came the lot fell on the fourth brother. That should not be. The hiring of substitutes has its difficulties, and at times advantage is taken to exact very large sums for serving in the stead of another. The trade of furnishing substitutes is almost sure to grow up, and be attended with business. In France this has been obviated by providing that the person drafted may be exempt by paying a fixed sum, which constitutes an army fund to be expended in bounties in procuring persons to serve in equal numbers. These matters will be naturally and necessarily become the subject of legislation by the States.

General Buell.

"LIGHT-FOOTED falsehood flies quickly over the earth, while sober truth is putting on its boots." So it has proved with General Buell. Chimerous accusation came first, and vindication afterwards. The runaway part of our army—there were ten thousand of them under the bank at Pittsburgh Landing—they were all indignant that they had no chance to fight and bag an army. Vernal letters sent the clamor home, and red-faced fools in bag breeches, gave it greedy repetition.

He saved the battle of Pittsburgh Landing, and did it by a march which the enemy thought impossible. He was left to occupy an extent of country which consumed all his forces in garrison duty, and left him no reserve. Compelled by Bragg's invasion of Kentucky, to abandon these, he outmarched the enemy, saving all his train, and rescued Kentucky; remodeling his army to suit the new emergency, he moved in pursuit—his army without tents, without baggage, and almost without food, except what the men carried—and his movement is checked by the suspension of his power. The malign elements which procured his removal are now at rest, and vindication is at work, and when his work is through with, censure will also move, and move in retribution.

General Orders No. 15.

HEADQUARTERS 50TH REGT., O. V. I., CAMP CHASE, NOV. 20, 1862.

1. The following telegraphic dispatch has this day been received:

WASHINGTON, D. C., Nov. 19, 1862. To His Excellency Gen. Tod: Officers and men of the Ninety-fifth (95th) Regiment have been exchanged. Please have the Regiment ready for the field as soon as possible.

C. P. BUCKINGHAM, Brigadier General and A. A. G. In accordance with the above, all officers, non-commissioned officers, and privates, belonging to the 95th Regiment, O. V. I., who are absent from camp, with or without leave, are hereby ordered to report forthwith to the commanding officer of the regiment at Camp Chase.

III. All who fail to report as required, within a reasonable time from this date, will be arrested and dealt with as deserters. By order of C. P. BUCKINGHAM, A. G. TURNER, Adjutant.

A Soldier's Vote.

As we noted some days ago, the 133d regiment (now 128th.) Colonel Handy, at Camp Butler, were prevented from going home to vote, by the intrigues of the powers that be. They were not mustered in until yesterday; though it was managed to send off the Hecker Regiment the day before, that they might be enabled to vote. But this privilege was denied the 128th. The Hecker regiment was ordered to Washington, by way of Chicago, to carry out its plan.

As they were denied the privilege granted to others, the 128th decided to express their preference where they are, and a vote was taken, which stands:

"For the clean democratic Union and constitutionality, 7811."
"For the abolition ticket NONE!"
—Springfield [Ill.] Register.

THERE is a movement on foot to organize an association of the publishers of daily newspapers in the West, to be called the "Western Associated Press," with the view of securing better and more carefully arranged telegraphic news than they now obtain through that greatly mismanaged and extremely exacting and exorbitant monopoly, the Associated Press of New York, which has of late become a mere "advertising dodge of the New York papers, and the vehicle of hampering advertising generally."

POST-OFFICE SCENE—"Have you a letter for my boss?"
"Who's your boss?"
"The one that I work for."
"What is his name, you idiot?"
"Robert Brown, sir."
"There's none here for him."
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NEW WINTER CLOTHING—1862 AND 1863.

NEW GOODS AT OLD PRICES!

HERMAN FISHER,
No. 1 Miami street,
URBANA, O.

MEN'S & BOYS' CLOTHING!
IN GREAT VARIETY!

Herman Fisher is now prepared to offer his old customers and the public in general a much larger and more

ATTRACTIVE STOCK OF
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than ever before afforded in this market comprising of a full and complete assortment of

MEN, BOYS AND YOUTHS CLOTHING,
such as are only kept in a

FIRST CLASS CLOTHING HOUSE.

Also a very large and splendid assortment of

GENTS' FURNISHING GOODS,
HATS AND CAPS,
TRUNKS, CARPET BAGS,
SHIRTS—ALL KINDS,
WOOLEN SHIRTS,
AND DRAWERS,
BUCKSKIN GLOVES, MITTS, &c.

all of which he is determined to close out to CASH buyers at prices to suit the times

CHEAPER THAN THE CHEAPEST!

A very large proportion of my stock was purchased before the advance of prices, and will be afforded at such low figures as will

Defy All Competition!
Now is the time to get a nice, well made and well fitting

GARMENT!

at a very low price. Please call and examine my stock before purchasing elsewhere as it will be to your benefit to do so.
Remember the place

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Musical Instruments, &c.

PIANOS, MELODEONS, ALEXANDRE ORGAN, SHEET MUSIC, MUSIC BOOKS, MUSIC MERCHANDISE, AND ALL KINDS OF MUSICAL INSTRUMENTS AT THE LOWEST POSSIBLE PRICES.
The Horace Waters' Modern Improved Organ and IRON FRAME PIANOS are highly recommended by the Press and Music Masters to be superior to all others. They are built of the best and most durable materials, and are of all sizes, from \$50 to \$750. Second-hand Pianos at great bargains. \$25 to \$100; \$100 to \$200; \$200 to \$300; \$300 to \$400; \$400 to \$500; \$500 to \$600; \$600 to \$700; \$700 to \$800; \$800 to \$900; \$900 to \$1000; \$1000 to \$1200; \$1200 to \$1500; \$1500 to \$2000; \$2000 to \$2500; \$2500 to \$3000; \$3000 to \$4000; \$4000 to \$5000; \$5000 to \$6000; \$6000 to \$7000; \$7000 to \$8000; \$8000 to \$9000; \$9000 to \$10000; \$10000 to \$12000; \$12000 to \$15000; \$15000 to \$20000; \$20000 to \$25000; \$25000 to \$30000; \$30000 to \$40000; \$40000 to \$50000; \$50000 to \$60000; \$60000 to \$70000; \$70000 to \$80000; \$80000 to \$90000; \$90000 to \$100000; \$100000 to \$120000; \$120000 to \$150000; \$150000 to \$200000; \$200000 to \$250000; \$250000 to \$300000; \$300000 to \$400000; \$400000 to \$500000; \$500000 to \$600000; \$600000 to \$700000; \$700000 to \$800000; \$800000 to \$900000; \$900000 to \$1000000; \$1000000 to \$1200000; \$1200000 to \$1500000; \$1500000 to \$2000000; \$2000000 to \$2500000; \$2500000 to \$3000000; \$3000000 to \$4000000; \$4000000 to \$5000000; \$5000000 to \$6000000; \$6000000 to \$7000000; \$7000000 to \$8000000; \$8000000 to \$9000000; \$9000000 to \$10000000; \$10000000 to \$12000000; \$12000000 to \$15000000; \$15000000 to \$20000000; \$20000000 to \$25000000; \$25000000 to \$30000000; \$30000000 to \$40000000; \$40000000 to \$50000000; \$50000000 to \$60000000; \$60000000 to \$70000000; \$70000000 to \$80000000; \$80000000 to \$90000000; \$90000000 to \$100000000; \$100000000 to \$120000000; \$120000000 to \$150000000; \$150000000 to \$200000000; \$200000000 to \$250000000; \$250000000 to \$300000000; \$300000000 to \$400000000; \$400000000 to \$500000000; \$500000000 to \$600000000; \$600000000 to \$700000000; \$700000000 to \$800000000; \$800000000 to \$900000000; \$900000000 to \$1000000000; \$1000000000 to \$1200000000; \$1200000000 to \$1500000000; \$1500000000 to \$2000000000; \$2000000000 to \$2500000000; \$2500000000 to \$3000000000; \$3000000000 to \$4000000000; \$4000000000 to \$5000000000; \$5000000000 to \$6000000000; \$6000000000 to \$7000000000; \$7000000000 to \$8000000000; \$8000000000 to \$9000000000; \$9000000000 to \$10000000000; \$10000000000 to \$12000000000; \$12000000000 to \$15000000000; \$15000000000 to \$20000000000; \$20000000000 to \$25000000000; \$25000000000 to \$30000000000; \$30000000000 to \$40000000000; \$40000000000 to \$50000000000; \$50000000000 to \$60000000000; \$60000000000 to \$70000000000; \$70000000000 to \$80000000000; \$80000000000 to \$90000000000; \$90000000000 to \$100000000000; \$100000000000 to \$120000000000; \$120000000000 to \$150000000000; \$150000000000 to \$200000000000; \$200000000000 to \$250000000000; \$250000000000 to \$300000000000; \$300000000000 to \$400000000000; \$400000000000 to \$500000000000; \$500000000000 to \$600000000000; \$600000000000 to \$700000000000; \$700000000000 to \$800000000000; \$800000000000 to \$900000000000; \$900000000000 to \$1000000000000; \$1000000000000 to \$1200000000000; \$1200000000000 to \$1500000000000; \$1500000000000 to \$2000000000000; \$2000000000000 to \$2500000000000; \$2500000000000 to \$3000000000000; \$3000000000000 to \$4000000000000; \$4000000000000 to \$5000000000000; \$5000000000000 to \$6000000000000; \$6000000000000 to \$7000